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General Assembly
Security Council

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S/1994/702
13 June 1994

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GENERAL ASSEMBLY
Forty-ninth session
Item 14 of the preliminary list*
REPORT OF THE INTERNATIONAL
ATOMIC ENERGY AGENCY

SECURITY COUNCIL
Forty-ninth year

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and of the Security Council the attached letter dated 13 June 1994, which he has received from the Director General of the International Atomic Energy Agency (IAEA).

* A/49/50/Rev.1.

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ANNEX

Letter dated 13 June 1994 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I refer to my letters of 19 May, 27 May and 2 June 1994. Pursuant to the Security Council's request in its resolution 825 (1993) of 11 May 1993, those letters contained reports to the Council on the Agency's efforts to implement the Safeguards Agreement between the International Atomic Energy Agency (IAEA) and the Democratic People's Republic of Korea.

Having discussed the status of implementation of the Safeguards Agreement between IAEA and the Democratic People's Republic of Korea, the Board of Governors at its regularly scheduled meeting adopted, on 10 June, a resolution (GOV/2742) by 28 votes in favour, 1 against and 4 abstentions.

The resolution, inter alia, found that the Democratic People's Republic of Korea is continuing to widen its non-compliance with its Safeguards Agreement with the Agency (INFCIRC/403) by taking actions which prevent the Agency from verifying the history of the reactor core and from ascertaining whether nuclear material from the reactor had been diverted in past years. The board, in conformity with the provisions of article XII.C of the statute, decided to suspend non-medical Agency assistance to the Democratic People's Republic of Korea.

The resolution is attached to the present letter and I should be grateful if you would bring it to the attention of the Security Council and the General Assembly pursuant to its paragraph 7.

(Signed) Hans BLIX

ENCLOSURE

Implementation of the Agreement between the International Atomic Energy Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/403)

Resolution adopted by the Board on 10 June 1994

The Board of Governors,

(a) Recalling its resolutions GOV/2636 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993 and GOV/2711 of 21 March 1994 and General Conference resolution GC(XXXVII)/RES/624 of 1 October 1993 finding the Democratic People's Republic of Korea to be in non-compliance with its safeguards agreement (INFCIRC/403),

(b) Taking account of the fact that the Democratic People's Republic of Korea remains a party to the Treaty on the Non-Proliferation of Nuclear Weapons and is therefore bound by its safeguards obligations,

(c) Recalling also that on 1 April 1993 and 22 March 1994, in accordance with the Agency's statute and the safeguards agreement between the Democratic People's Republic of Korea and the Agency, it reported the Democratic People's Republic of Korea's non-compliance to the United Nations Security Council as the organ bearing the main responsibility for the maintenance of international peace and security,

(d) Noting with deep regret the Director General's written and oral reports of 2 June 1994 and 3 June 1994 and his statement to the Board on 7 June 1994, in which he reported that the limited opportunity which remained for the Agency to select, segregate and secure fuel rods from the Democratic People's Republic of Korea's five-megawatt reactor for later measurements in accordance with Agency standards had been lost and that the Agency's ability to ascertain, with sufficient confidence, whether nuclear material from the reactor had been diverted in the past had also been lost,

(e) Recalling further, the 30 May 1994 statement by the President of the Security Council (S/PRST/1994/28), and particularly the request to the Director General to keep Agency inspectors in the Democratic People's Republic of Korea in order to monitor activities at the five-megawatt reactor, and

(f) Noting also that the Agency has been able to perform certain safeguards activities in the Democratic People's Republic of Korea and the Director General's reaffirmation that the secretariat remains available to conduct inspection activities as required by the safeguards agreement with the Democratic People's Republic of Korea or as requested by the United Nations Security Council,

1. Deplores the Democratic People's Republic of Korea's failure to implement essential elements of resolutions of the Board and the General Conference concerning its non-compliance with its safeguards agreement (INFCIRC/403);

2. Finds that the Democratic People's Republic of Korea is continuing to widen its non-compliance with its safeguards agreement by taking actions which prevent the Agency from verifying the history of the reactor core and from ascertaining whether nuclear material from the reactor had been diverted in past years;

3. Strongly supports and commends the tireless efforts of the Director General and the secretariat to implement the safeguards agreement;

4. Calls on the Democratic People's Republic of Korea immediately to extend full cooperation to the Agency's secretariat, in particular by providing access to all safeguards-relevant information and locations;

5. Encourages the Director General to continue his efforts to implement fully the safeguards agreement, and in particular to retain all Agency safeguards measures effectively in place and make available inspectors and equipment for safeguards in the Democratic People's Republic of Korea as requested by the United Nations Security Council;

6. Decides, in conformity with the provisions of article XII.C of the statute, to suspend non-medical Agency assistance to the Democratic People's Republic of Korea;

7. Requests the Director General to transmit this resolution to all members of the Agency and to the Security Council and the General Assembly of the United Nations; and

8. Remains seized of the matter and requests the Director General to report promptly to the Board on all relevant developments regarding this issue.

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LETTER DATED 13 JUNE 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that at 1450 hours on 25 May 1994 United States aircraft dropped heat flares on agricultural areas near Tall Karjum in the Ninawa Governorate, setting fire to 2,500 dunums of wheat and 200 dunums of barley.

The continued dropping of heat flares by United States aircraft is a further indication of the insistence of the United States Government on inflicting harm on Iraq and its people and on encroaching upon its sovereignty and security.

The Government of the Republic of Iraq, affirming once more that the United States Government bears full responsibility for engaging in such internationally prohibited acts, urges you to intervene as required by the Charter of the United Nations and to call upon the Government of the United States to desist from committing such acts of aggression and to make reparation for the material damage sustained by Iraq and its people.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.

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LETTER DATED 14 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statement dated 13 June 1994 by the Spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement dated 13 June 1994 by the Spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea

The secretariat of the International Atomic Energy Agency (IAEA) recently committed an act of gravely encroaching upon the dignity and sovereignty of our Republic by following the United States policy of stifling the Democratic People's Republic of Korea.

The Board of Governors' meeting of IAEA on 10 June demanded the opening of our military sites on the pretext of the nuclear issue and adopted an extremely unreasonable "resolution" on the "suspension of the Agency's assistance" to our country.

This is obviously the Agency's "sanctions" against us and, in essence, a prelude to United Nations "sanctions".

With the adoption of the "resolution" the plot of the United States and some quarters of the Agency's secretariat to isolate and stifle our Republic on the pretext of "a solution to the nuclear issue" has at last entered into a reckless stage of practice.

As is known, we have made every possible well-intentioned effort to prove the transparency of our nuclear activities even in our unique status.

However, as we have accepted more inspections by the Agency, pressure on us has increased and things have got all the more complicated, and the security and sovereignty of our Republic now are exposed to threat hourly.

Some quarters of the Agency's secretariat have escalated their moves to stifle our Republic, ignoring all our good intentions and leniency, and finally brought the situation to such an extent where they took "sanctions" this time.

In this the United States and the IAEA secretariat openly revealed their attempt to encroach upon our sovereignty and stifle us by using the leverage of inspection.

The conclusion at which we have arrived today when some quarters of the Agency's secretariat have chosen an undisguised exercise of strong-arm tactics is that pressure on us increases and our peaceful nuclear activities hit a bigger snag while we are bound to the unfair framework of the Agency.

Ours is not the sort of people who reconcile themselves to humiliation even with their national sovereignty and dignity violated.

That the secretariat of the Agency tried to impose its total inspection on us by threatening us with "sanctions" is an intolerable insult to our people who regard independence as what keeps them alive. When pressure and "sanctions" are imposed on us, our will grows stronger and our peaceful nuclear activities become all the more free.

In face of the folly of IAEA, which has taken unreasonable "sanctions" against us and, moreover, is attempting to intrude even into our military sites, the Foreign Ministry of the Democratic People's Republic of Korea has been authorized to declare as follows:

Firstly, we will immediately withdraw from IAEA.

We will consider invalid all the unreasonable "resolutions" adopted by the Agency with regard to our issue up until now and will not be bound by any rules or resolutions of the Agency hereafter.

Without the Agency we can develop our independent nuclear power industry and expand international cooperation in the realm of nuclear activities.

Secondly, we declare that the inspections for the continuity of safeguards which we have accepted in our unique status will no longer be allowed.

Any unreasonable inspection can never be allowed till it has been decided whether we return to the Nuclear Non-Proliferation Treaty or completely withdraw from it.

Hence, the Agency's inspectors now will have nothing to do any further in our country.

Thirdly, we strongly reaffirm our position that United Nations "sanctions" will be regarded immediately as a declaration of war.

"Sanctions" and dialogue are incompatible.

It is our inevitable option to counter expanded "sanctions" by hostile forces with expanded self-defence measures.

This stand of ours will never change until our nuclear issue has been solved fairly through dialogue and negotiation.

We will keenly watch the development of the situation in the days ahead.

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14 June 1994

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LETTER DATED 14 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I would like to draw your attention to the serious incident that occurred several days ago, within the "blue zone", i.e. between the lines of separation drawn in accordance with the Zagreb Agreement of 29 March 1994 (S/1994/367, annex), in the village of Kakma, in the county of Biograd.

The importance of Kakma lies in the fact that it is the location of a water well and the pumping station that supplies over 150,000 people in the region of Zadar and Biograd with water. Since the beginning of Serbian aggression against the Republic of Croatia, that location has been under occupation. Furthermore, the Croatian Army units have been redeployed from their forward positions in the vicinity of Kakma, in accordance with the Zagreb Agreement, creating one side of the line of separation, and leaving the United Nations Protection Force (UNPROFOR) entirely in control.

However, the 300-millimetre water-pipe in Kakma that is supposed to supply Biograd was destroyed by an explosive device. UNPROFOR spokesman for Sector South, when condemning the incident, has stated that it was "a deliberate action", and that the investigation is ongoing. Until such a time that the supply of water is reinstated, the inhabitants of Biograd and its surroundings, including several islands, live practically without any water. The water reaches them only two times a week, for 60 minutes at a time.

I would like to emphasize that the Serbian paramilitary units in that region should have been withdrawn long ago, but UNPROFOR still tolerates their presence. Until the Zagreb Agreement is fully implemented, the tensions on the ground will not be defused, and can result in such terrorist acts of Serbian occupation forces.

I would like to ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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Draft resolution

The Security Council,

Taking note of the report of the Secretary-General on the United Nations operation in Cyprus of 7 June 1994 (S/1994/680 and Add.1),

Taking note also of the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus (UNFICYP) for a further period of six and one half months,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 June 1994,

Expressing concern that during the period reviewed in the Secretary-General's report, UNFICYP patrols continued to encounter interference in or around the buffer zone, that cease-fire violations continued and that no progress was made on an unmanning agreement,

Concerned also that there has been no progress towards a final political solution, no significant reduction in the number of foreign troops in the Republic of Cyprus and no reduction of defence spending in the Republic of Cyprus,

Recalling its resolution 831 (1993) of 27 May 1993, and in particular its provisions on the financing of UNFICYP,

Recalling also its resolution 889 (1993) of 15 December 1993,

Reaffirming the provisions of resolution 186 (1964) of 4 March 1964 and other relevant resolutions,

Noting that it is continuing its consideration of the Secretary-General's report on his mission of good offices in Cyprus of 30 May 1994 (S/1994/629) and that a further communication is awaited on the subject,

1. Extends the stationing in Cyprus of UNFICYP for a further period ending on 31 December 1994;

2. Calls upon the military authorities on both sides to ensure that no incidents occur along the buffer zone and to extend their full cooperation to UNFICYP;

3. Requests the Secretary-General to keep under review the structure and strength of the force with a view to possible restructuring of it;

4. Urges all concerned to commit themselves to a significant reduction in the number of foreign troops in the Republic of Cyprus and a reduction of defence spending in the Republic of Cyprus to help restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as set out in the Set of Ideas;

5. Calls upon once again the military authorities on both sides, in line with paragraph 3 of resolution 839 (1993) of 11 June 1993, to begin discussions with UNFICYP without further delay with a view to entering into mutual commitments to prohibit along the cease-fire lines live ammunition or weapons other than those which are hand-held and to prohibit also the firing of weapons within sight or hearing of the buffer zone;

6. Calls also upon the military authorities on both sides to cooperate with UNFICYP in extending the 1989 unmanning agreement to cover all areas of the buffer zone where the two sides are in close proximity to each other;

7. Urges also the leaders of both communities to promote tolerance and reconciliation between the two communities as recommended in paragraph 7 of resolution 889 (1993) of 15 December 1993;

8. Stresses the urgent need for the implementation of the confidence-building measures referred to in the report of the Secretary-General dated 1 July 1993 (S/26026);

9. Stresses also that it will conduct a thorough and comprehensive review of the situation, including the role of the United Nations in Cyprus and the progress achieved towards a political settlement, in the context of its consideration of the Secretary-General's report of 30 May 1994 and the further communication, and in particular a re-evaluation based upon the options proposed by the Secretary-General;

10. Requests the Secretary-General to submit a report on the implementation of the present resolution by 15 December 1994.